

COMBINED PUBLIC NOTICE

NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

HUDSON COUNTY

October 28, 2016

New Jersey Department of Community Affairs
101 South Broad Street
PO Box 800
Trenton, NJ 08625-0800

This Notice is related to Federal assistance provided in response to the Presidentially-declared disaster, Superstorm Sandy. This notice shall satisfy two separate but related procedural requirements for activities to be undertaken by New Jersey Department of Community Affairs (DCA).

REQUEST FOR RELEASE OF FUNDS

On or about November 14th, 2016, the DCA will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of Federal funds under the Community Development Block Grant Program (CDBG) pursuant to the Disaster Relief Appropriations Act of 2013 (Public Law 113-2, approved January 29, 2013) (CDBG-DR) for the City of Hoboken's acquisition of the 5.418 acres commonly known as the BASF Property ("project site") in the Northwest corner of Hoboken. The City of Hoboken's acquisition of the BASF property will not be funded with or seek reimbursement of CDBG-DR funds; however, the acquisition of this property contributes to the overall design of the CDBG-DR funded project. The design will be implemented by the Hudson River Resist, Delay, Store and Discharge (RDSD) Rebuild by Design Project. Because the acquisition of the project site is part of the overall federal action, an environmental assessment and Request for Release of Funds (RROF) are required prior to the expenditure of any federal or non-federal funds.

The FONSI is on the basis of the acquisition of the project site. The potential reuse of the project site as relates to the Hudson River project will be evaluated in the Environmental Impact Statement (EIS) for the Hudson River Resist, Delay, Store and Discharge (RDSD) Rebuild by Design Project that has been the subject of public meetings. The Draft EIS is anticipated to be published in the Federal Register in late December or early January and will evaluate any cumulative impacts from the reuse of this site. A Record of Decision following the publication of the EIS and a subsequent RROF to HUD to be followed with an anticipated Authorization to Use Grant funds issued by HUD must occur before any reuse of the site can be implemented.

PROJECT DESCRIPTION

Project Title: BASF Property Acquisition

Location: 1201 Madison/1200 Adams Street, Block 107 Lot 1 and 1113-1131 Madison Street, Block 103 Lot 7; Hoboken, Hudson County, New Jersey

The total estimated project cost for acquisition is \$26,633,417.

The City of Hoboken is proposing the acquisition of 5.418 acres, commonly known as the BASF Property (“project site”), in the Northwest corner of Hoboken. The property addressed in the Environmental Assessment is located at 1113-1131 Madison Street, Block 103 Lot 7 (1.148 acres); and 1201 Madison/1200 Adams Street, Block 107 Lot 1 (4.27 acres). The planned reuse of the BASF property (i.e., Block 103, Lot 7 and Block 107 Lot 1) is limited to open space and stormwater improvements. The impacts of the reuse of this site will be evaluated under the Hudson River RDS Environmental Impact Statement.

Statement of Purpose and Need

The purpose of the proposed project is to acquire an underutilized, undeveloped property in the City of Hoboken to develop as open recreational space with stormwater management features to address persistent flooding in northwest Hoboken.

The project is needed to create open space in an urban environment and relieve the City of Hoboken’s overtaxed combined sewer system that collects both sanitary and stormwater flows during rainfall events. The overall project goals include open space preservation and sustainable stormwater management using green infrastructure, which are consistent with Hoboken’s Master Plan (2004) and Master Plan Reexamination (2010), Open Space and Recreation Plan Recommendations (2015), Green Infrastructure Strategic Plan, Hudson River RDS, and Re.invest report.

FINDING OF NO SIGNIFICANT IMPACT

The DCA has determined that this proposed acquisition project will have no significant impacts on the human environment. Therefore, an Environmental Impact Statement (EIS) under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at the New Jersey Department of Community Affairs, Sandy Recovery Division, 101 South Broad Street, Trenton, NJ 08625-0800. The record is available for review and may be examined or copied weekdays 9 A.M. to 5 P.M. or can be viewed online at <http://www.nj.gov/dca/divisions/sandyrecovery/review/>.

PUBLIC COMMENTS

Any individual, group, or agency disagreeing with this determination or wishing to comment on this project may submit written comments to Laura Shea, Assistant Commissioner, Sandy Recovery Division, New Jersey Department of Community Affairs, 101 South Broad Street, PO Box 800, Trenton, NJ 08625-0800 or online at <http://www.nj.gov/dca/divisions/sandyrecovery/review/> and to Tennille Smith Parker, DRS, Acting Division Director, HUD, 451 Seventh Street SW, Washington, D.C. 20410. All

comments received by November 14th , 2016, or fifteen (15) days from the actual date of publication, whichever is later, will be considered by DCA. Comments should specify which Notice they are addressing.

ENVIRONMENTAL CERTIFICATION

DCA certifies to HUD that Charles A. Richman, in his capacity as Commissioner of DCA consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under the National Environmental Policy Act and related laws and authorities, and allows DCA to use CDBG-DR funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and DCA's certification for a period of fifteen (15) days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of DCA; (b) DCA has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient has committed funds or incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency, acting pursuant to 40 CFR Part 1504, has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58.76) and shall be addressed to Tennille Smith Parker, DRS, Acting Division Director, HUD, 451 Seventh Street SW, Washington, D.C. 20410. Potential objectors should contact HUD to verify the actual last day of the objection period.

Commissioner Charles A. Richman
New Jersey Department of Community Affairs